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**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

FILED
BILLINGS, MT
2006 MAY 22 AM 8 58
PATRICK E. DUFFY, CLERK
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

| | |
|----------------------------------|--|
| UNITED STATES OF AMERICA, | CR 06- 65 -BLG- RFC |
| Plaintiff, | <u>INDICTMENT</u> |
| vs. | CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE METHAMPHETAMINE Title 21 U.S.C. § 846(Count I) (Penalty: Ten years to life imprisonment, \$4,000,000 fine and at least five years supervised release) |
| NICHOLE RENEE WALDHAM, | DISTRIBUTION OF METHAMPHETAMINE AND POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE Title 21 U.S.C. § 841(a)(1) (Counts II, VI and VII) (Penalty: Mandatory minimum five to 40 years imprisonment, \$2,000,000 fine, and at least four years supervised release) |
| Defendant. | |

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|--|---|
| | DISTRIBUTION OF COCAINE AND METHAMPHETAMINE Title 21 U.S.C. § 841(a)(1) (Counts III, IV, V and VIII) (Penalty: 20 years imprisonment, \$1,000,000 fine, and at least three years supervised release) TITLE 21 PENALTIES MAY BE ENHANCED FOR PRIOR DRUG-RELATED FELONY CONVICTIONS |
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THE GRAND JURY CHARGES:

COUNT I

That from on or about an unknown date believed to be in late 2005 up to and including the present, at Billings, in the State and District of Montana, and elsewhere, the defendant, NICHOLE RENEE WALDHALM, along with Robert Biggs and other persons both known and unknown to the Grand Jury, did knowingly and unlawfully conspire, combine, confederate, and agree to possess with intent to distribute over 500 grams of a mixture or substance containing methamphetamine or over 50 grams of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846.

COUNT II

That on or about January 12, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully distribute 6.70 grams of a mixture or substance containing 21% methamphetamine, or 1.4 grams of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT III

That on or about January 12, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully distribute 5.80 grams of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT IV

That on or about January 12, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully distribute 6.90 grams of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT V

That on or about January 12, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully distribute 12.60 grams of a mixture or substance containing 16% methamphetamine, or 2.0 grams of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT VI

That on or about January 31, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully distribute 14.5 grams of a mixture or substance containing 44% methamphetamine, or 6.3 grams of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

COUNT VII


That on or about February 2, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully possess with intent to distribute 16.20 grams of a mixture or substance containing 37% methamphetamine, or 5.90 grams of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

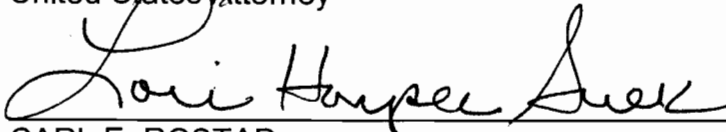
COUNT VIII

That on or about February 2, 2006, at Billings, in the State and District of Montana, the defendant, NICHOLE RENEE WALDHALM, did knowingly and unlawfully possess with intent to distribute 1.5 grams of a mixture or substance containing 96% methamphetamine, or 1.4 grams of actual methamphetamine, commonly known as "ice," a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

A TRUE BILL.


FOREPERSON


for WILLIAM W. MERCER
United States Attorney


CARL E. ROSTAD
Criminal Chief Assistant U.S. Attorney

m. Summons
Warrants X (STATE CUSTODY)
Jail NONE

Criminal Case Cover Sheet

U.S. District Court

Place of Offense:City: Billings
County/Parish: Montana**Related Case Information:**Superseding Indictment Docket #:
Same Defendant New Defendant
Magistrate Judge Case Number
Search Warrant Case Number
R 20/R 40 from District of **Defendant Information:**Juvenile: Yes X NoIf Yes, Matter to be sealed: Yes No Defendant Name: Nichole Renee WaldhalmAlias Name: Address: Birthdate: 7/25/78 SS#: 517-80-0109 Sex: F Race: Nationality: **U.S. Attorney Information:**AUSA: James E. SeykoraInterpreter: Yes No List language and/or dialect: **Location Status:**Arrest Date: Already in Federal Custody as of in X Already in State Custody On Pretrial Release**U.S.C. Citations**Total # of Counts: 8 ☐ Petty ☐ Misdemeanor ☒ Felony

| | Index Key/Code | Description of Offense Charged | Counts(s) |
|-------|------------------|--|-----------|
| Set 1 | 21 USC 846 | Conspiracy | 1 |
| Set 2 | 21 USC 841(a)(1) | PWITD and distribution of meth and cocaine | 2-8 |
| Set 3 | | | |
| Set 4 | | | |
| Set 5 | | | |

(MAY BE CONTINUED)

Date: Signature of AUSA: District Court Case Number (To be filled in by deputy Clerk):

United States District Court
DISTRICT OF MONTANA, BILLINGS DIVISION

UNITED STATES OF AMERICA

WARRANT FOR ARREST

v.

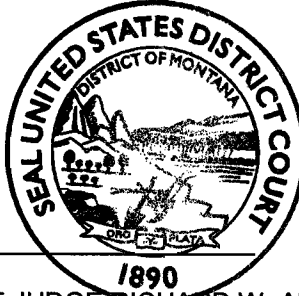
CASE NUMBER: CR-06-65-BLG-RFC

Nichole Renee Waldhalm
IN STATE CUSTODY

TO: UNITED STATES MARSHAL AND ANY AUTHORIZED UNITED STATES OFFICER

YOU ARE HEREBY COMMANDED to arrest Nichole Renee Waldhalm and take the arrested person without unnecessary delay before the nearest federal magistrate judge to answer the INDICTMENT charging HER with CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE METHAMPHETAMINE, DISTRIBUTION OF METHAMPHETAMINE AND POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE AND DISTRIBUTION OF COCAINE AND METHAMPHETAMINE in violation of Title 21 United States Code, Section 846,841(a)(1).

Assigned to: James E. Seykora



C. Rost
C. Rost, Deputy Clerk

AS ORDERED BY U.S. MAGISTRATE JUDGE RICHARD W. ANDERSON
Billings, Montana

BAIL FIXED AT NONE

Date of Issue: 05/22/06

| RETURN | |
|--|--|
| DATE RECEIVED: | LOCATION: |
| EXECUTED BY ARREST OF THE ABOVE-NAMED DEFENDANT | |
| DATE OF ARREST: | DWIGHT MACKAY UNITED STATES MARSHAL |
| LOCATION: | |
| BY: | |
| Deputy U.S. Marshal | |